

Storm, Linda

From: Storm, Linda
Sent: Thursday, July 21, 2016 5:01 PM
To: 'brian.d.hooper@usace.army.mil'
Cc: Szerlog, Michael
Subject: NWS-2015-107, U.S. Navy (Pier and Support Facilities for Transit Protection System) Public Notice comments
Attachments: 16-0037-COE EA Ediz Hook.pdf; FINAL EPA Piling BMPs 2 18 16.pdf

Dear Brian;

The Public Notice includes conflicting information about the extent of work proposed in waters of the United States and may also reveal some confusion about the limit of geographic jurisdiction for different types of work. These issues relate to both the proposed sheet pile wall and the proposed placement of rock armoring along the new shoreline following removal of an existing jetty as compensatory mitigation for the impacts of the proposed pier. Specifically, just as with the "upland support facilities," the Public Notice narrative describes both the sheet pile wall and the rock armoring as being above the area's **mean high water line (MHW)** and "therefore...not...within the jurisdiction of the Corps" (pages 2 and 3). EPA believes that the reference to MHW as the jurisdictional limit is in error, at least for the **proposed rock armoring**, for which the high tide line (HTL) should be the limit of jurisdiction. Whether the reference to MHW is also in error with regard to the sheet pile wall depends on whether the Navy proposes to place **backfill behind the wall**. While it seems that sheet pile walls typically include backfill, neither the Public Notice narrative or plans nor the Navy's Environmental Assessment (EA) describe or depict the placement of fill behind the proposed wall. We have inquired both with you and with the Navy as to whether the project would include such backfill, but have yet to receive confirmation. It is also unclear how the proposed sheet pile wall relates to **existing riprap** that the EA describes as being along that stretch of shoreline (page 3-7).

The Public Notice plans include some additional contradictions that add to the confusion about the extent of jurisdiction. Specifically, Sheet 4 includes **two conflicting sets of submarine contours**, a full set in lighter print, as well as four lines in darker print. (Sheet 3 also appears to include both sets of contour lines.) On Sheet 4, three of the darker contour lines are labelled as representing MHHW, MHW, and mean lower low water (MLLW), with elevations of 7.06', 6.15', and 0.00', respectively. (The fourth darker line, which is unlabeled, is landward of the other three.) The darker line labelled as "MLLW" coincides with the "0" contour in the lighter set of lines, but the darker lines labelled as "MHW" and "MHHW" are substantially (i.e., approximately 50' or so) *waterward* of where the lighter contour lines indicate that those elevations occur. On Sheet 4, the proposed sheet pile wall is very close to the MHHW elevation indicated by the lighter contour lines. The elevation view shown on Sheet 5 includes datums that appear to coincide with the lighter contour lines from Sheet 4 (i.e., the proposed sheet pile wall is only a few feet landward of MHHW). The source and purpose of the dark lines is unclear, but, based on the other information available, it appears the locations of the two labelled "MHW" and "MHHW" are erroneous.

EPA has concerns with this proposed project, beyond the issues of contradicting and lacking information identified above. We are concerned about the impacts of this project from the following perspectives:

1. This facility is being built in an area with potential risk from a long-term sea level rise,
2. This project will add to the cumulative adverse impacts from added shoreline armoring on Ediz Hook. EPA raised concerns about the U.S. Army Corps of Engineers Ediz Hood Revetment and Repair Environmental Assessment work with regard to its authorizing extended shoreline armoring impacts (see attached comment letter).
3. This project will impact eelgrass bed areas and its associated functions and the proposed compensatory mitigation does not appear to compensate for impacts to eelgrass;
4. The Port Angeles harbor area has ongoing contamination issues, including dioxins, due to the Rayonier Mill MTCA site. EPA is uncertain of the nature and extent of mill site waterfront and outfall contamination and if these source contaminants extend out to this area of the spit. However, extensive studies have been done on the marine sediments in the area. Therefore, the nature and extent of sediment contamination should be

characterized in both the proposed project work area and the proposed mitigation site. EPA requests either a summary of available information and trends to characterize the historical/background analysis of the sites sediments or actual sediment sampling within the project footprint area.

5. EPA requests the Corps require the EPA Region 10 Piling BMPs to be a condition of permit authorization and work at the proposed pier project site and proposed mitigation site (see attachment 2).
6. EPA is concerned about the proposed rock armoring at the mitigation site, potentially perpetuating impacts from shoreline hardening. We recommend bioengineering approaches be used instead.

EPA recommends the Corps hold their permit decision in abeyance until the above issues and additional information needs are addressed. We specifically cannot fully comment on the impacts of the proposed project or the adequacy of the proposed compensatory mitigation without clarification of the conflicting information described above. As such, please advise both Michael Szerlog and me at your earliest convenience of a) the correct description and depiction of the proposed rock armoring and sheet pile wall in relation to MHW and the HTL; b) the relationship between the proposed sheet pile wall and existing riprap; and c) whether the Navy proposes to place backfill behind the sheet pile wall.

Thank you for this opportunity to comment on this proposed project action.

Sincerely,

Linda Storm



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